

# **EXHIBIT I**



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Ex Parte Reexamination Filing Data - December 31, 2007

1. Total requests filed since start of ex parte reexam on 07/01/81 .....	9060 <sup>1</sup>	
a. By patent owner	3495	39%
b. By other member of public	5400	59%
c. By order of Commissioner	165	2%
2. Number of filings by discipline		
a. Chemical Operation	2703	30%
b. Electrical Operation	3023	33%
c. Mechanical Operation	3334	37%
3. Annual Ex Parte Reexam Filings		
Fiscal Yr. No. Fiscal Yr. No. Fiscal Yr. No. Fiscal Yr. No.		
1981 78 (3 mos.) 1989 243 1997 376 2005 524		
1982 187 1990 297 1998 350 2006 511		
1983 186 1991 307 1999 385 2007 643		
1984 189 1992 392 2000 318 2008 165		
1985 230 1993 359 2001 296		
1986 232 1994 379 2002 272		
1987 240 1995 392 2003 392		
1988 268 1996 418 2004 441		
4. Number known to be in litigation .....	2398	26%
5. Determinations on requests .....	8714	
a. No. granted .....	7998	92%
(1) By examiner	7885	
(2) By Director (on petition)	113	
b. No. denied .....	716	8%
(1) By examiner	681	
(2) Order vacated	35	

<sup>1</sup>Of the requests received in FY 2008, 23 requests have not yet been accorded a filing date, and preprocessing of 3 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6. Total examiner denials (includes denials reversed by Director) . . . . .	794			
a. Patent owner requester	439		55%	
b. Third party requester	355		45%	
7. Overall reexamination pendency (Filing date to certificate issue date)				
a. Average pendency			24.0 (mos.)	
b. Median pendency			18.6 (mos.)	
8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiated	Overall
a. All claims confirmed	23%	29%	12%	26%
b. All claims cancelled	7%	12%	21%	10%
c. Claims changes	70%	59%	67%	64%
9. Total ex parte reexamination certificates issued (1981 - present) . . . . .	6066			
a. Certificates with all claims confirmed			1556	26%
b. Certificates with all claims canceled			636	10%
c. Certificates with claims changes			3874	64%
10. Reexam claim analysis - requester is patent owner or 3rd party; or Comm'r initiated.				
a. Certificates - PATENT OWNER REQUESTER . . . . .	2607			
(1) All claims confirmed			592	23%
(2) All claims canceled			194	7%
(3) Claim changes			1821	70%
b. Certificates - 3rd PARTY REQUESTER . . . . .	3313			
(1) All claims confirmed			946	29%
(2) All claims canceled			413	12%
(3) Claim changes			1954	59%
c. Certificates - COMM'R INITIATED REEXAM . . . . .	146			
(1) All claims confirmed			18	12%
(2) All claims canceled			30	21%
(3) Claim changes			98	67%

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